

12-17-03

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$130.00)

Complete if Known

Application Number 09/468,752

Filing Date 12/21/1999

First Named Inventor Singh, et al.

Examiner Name Rudy, A.

Art Unit 3627

Attorney Docket No. GEMS8081.028

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GROUP 3600

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number

07-0845

Deposit Account Name

Ziolkowski Patent Solutions Group, LLC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	Multiple Dependent	-20**=	-3**=		
				X	
				X	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$130.00)

SUBMITTED BY

Name (Print/Type) Timothy J. Ziolkowski

Signature

Registration No.
(Attorney/Agent)

38,368

Complete (if applicable)

Telephone 2623765170

Date 12-16-03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Customer No. 27061

Patent

Attorney Docket No. Old: GEM-30890

New: GEMS8081.028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : SINGH, Vikram et al.
Serial No. : 09/468,752
Filed : December 21, 1999
For : Method and Apparatus for Screening a
Potential Customer and Assigning an
Account Number to the Potential Customer
Across a Global Computer Network
Group Art No. : 3627
Examiner : Andrew J. Rudy

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CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

Mailing

- ☒ deposited with the US Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 CFR 1.8(a)

37 CFR 1.10

- ☐ with sufficient postage as first class mail ☒ As "Express Mail Post Office to Addressee" Mailing Label No. EV316999923US

Transmission

- ☐ transmitted by facsimile to Fax No.: 703-872-9306 addressed to Examiner Rudy at the Patent and Trademark Office.

Date: December 16, 2003

Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR §1.144 SEEKING
SUPERVISORY REVIEW OF PROSECUTION**

Dear Sir:

Applicant respectfully requests supervisory authority to review the above-referenced case and respectfully requests the Examiner be directed to either allow the present application in its current form, or allow the appeal process to move forward.

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NOV 18 2003 09:00 AM

This application has been pending in its original form for four (4) years. Applicant has received (3) three Office Actions in this case, and after final rejection, filed a Notice of Appeal and Appeal Brief.

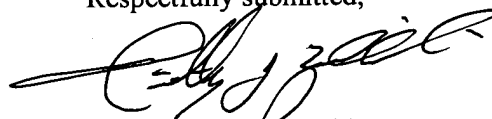
In response to Applicant's 42-page Appeal Brief, the Examiner summarily withdrew all previous rejections and issued a two-page rejection of all claims under 35 U.S.C. §103 claiming the claims were obvious over a single reference, and in doing so, took Official Notice of more than one claim element. The Examiner made this rejection in two short paragraphs that could have fit on one page.

After four (4) years, three (3) Office Actions, numerous Responses, a 42-page Appeal Brief, Applicant believes it deserves, at the very least, a Final determination. However, the Examiner's latest action following the 42-page Appeal Brief was a meager 2-page Office Action. A review of this case, along with S/N 09/468,403, and S/N 09/710,543 would tend to show a pattern.

Applicant would hope that the Office is not intentionally delaying prosecution of applications that it determines are out of favor. With all due respect, if such were the case, the Office should provide Applicants proper notice, revise the MPEP, and seek revisions to the rules and lobby for revisions to the statute. Absent that, the Examiners should be allowed to apply the same rules and procedures in all cases.

In summary, Applicant respectfully requests either allowance of all pending claims, or to allow the Board of Appeals to make a determination of the appeal.

Respectfully submitted,



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Dated: December 16, 2003
Attorney Docket No.: **Old:** GEM-30854
New: GEMS8081.024

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